

## Message

**From:** Leah Aden [laden@naacpldf.org]  
**Sent:** 11/18/2016 4:05:01 PM  
**To:** Biffl, Betsy [Biffl.Betsy@epa.gov]  
**CC:** Marianne Engelman Lado [mengelmanlado@earthjustice.org]; Jonathan J. Smith [jjsmith@earthjustice.org]; Kathryn Sadasivan [ksadasivan@naacpldf.org]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Dorka, Lilian [Dorka.Lilian@epa.gov]; Stein, Jonathan [Stein.Jonathan@epa.gov]; M.Andrew.Zee@usdoj.gov; Temple, Kurt [Temple.Kurt@epa.gov]; O'Lone, Mary [OLone.Mary@epa.gov]; Leah Aden [laden@naacpldf.org]  
**Subject:** RE: ABSCO & [REDACTED] comment ltrs. re: TWDC Application to ADEM for Renewal of Permit #62-11  
**Attachments:** removed.txt; Request for Comments - #422 - ABSC Response Letter - 15Nov2016 v1.pdf; [REDACTED].11.16.comment.Ashurst Bar.pdf; Stone's Throw Public Notice Extension (Paper) 11-17-16.pdf; [REDACTED] Public Comment Extension Response 11-17-16.pdf

Ms. Biffl –



Attached please find comments submitted by (1) [REDACTED] Ex. 6 Personal Privacy (PP), as President of the Ashurst Bar/Smith Community Organization (ABSCO) and a concerned citizen of Tallapoosa County, and (2) [REDACTED] Ex. 6 Personal Privacy (PP), a property owner in the Ashurst Bar/Smith community—both in opposition to the request by the Tallassee Waste Disposal Center, Inc. (TWDC) to the Alabama Department of Environmental Management (ADEM) to renew TWDC's permit (Solid Waste Facility Permit #62-11) to operate Stone's Throw Landfill, a municipal solid waste facility in Tallapoosa County, Alabama. Yesterday, I copied you on an email that the NAACP Legal Defense and Educational Fund, Inc. and Earthjustice sent to ADEM, attaching comments that we submitted—also in opposition to the permit renewal request—on behalf of ABSCO. Following a request from [REDACTED] Ex. 6 Personal Privacy (PP) that the comment period be extended, ADEM granted an extension until December 19. We, therefore, may share additional comments with you.

Please consider these comments as you continue to investigate ABSCO's Title VI of the Civil Rights Act complaint, No. 06R-03-R4, pending before the Environmental Protection Agency's Office of Civil Rights.

We further urge to you make a finding of discrimination this calendar year, given the case record that demonstrates that ADEM continues to violate Title VI and EPA's recommendations by failing to consider the discriminatory impact of its permit decisions on Black communities like Ashurst Bar/Smith that are experiencing social, economic, and health impacts as a result of the Landfill's operation in their community since its reopening in 2002.

Per our letter to you on September 16, 2016 and other correspondence, we additionally request that you consult with the complainant, ABSCO, and other Ashurst Bar/Smith community residents about their ideas for how to remedy the existing harms occurring in their community as a result of the Landfill's operation.

Sincerely,

**Leah Aden**  
**Senior Counsel**  
**NAACP Legal Defense and Educational Fund, Inc.**  
 40 Rector Street, 5th Floor, New York, NY 10006  
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**From:** Leah Aden

**Sent:** Thursday, November 17, 2016 3:21 PM

**To:** rln@adem.state.al.us

**Cc:** Marianne Engelman Lado <mengelmanlado@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Kathryn Sadasivan <ksadasivan@naacpldf.org>; Leah Aden <laden@naacpldf.org>; Biffi.Betsy@epa.gov; Jeryl' 'Covington <Covington.Jeryl@epa.gov>; Dorka.Lilian@epa.gov; Jonathan' 'Stein <Stein.Jonathan@epa.gov>; M.Andrew.Zee@usdoj.gov; Temple.kurt@Epa.gov; O'Lone, Mary <OLone.Mary@epa.gov>

**Subject:** ABSCO Comment Ltr. re: TWDC Application to ADEM for Renewal of Permit #62-11

Mr. Kelly,

Please see the attached comment letter, submitted by Earthjustice and the NAACP Legal Defense & Educational Fund, Inc., on behalf of the Ashurst Bar/Smith Community Organization, to vigorously oppose the request by the Tallassee Waste Disposal Center, Inc. to the Alabama Department of Environmental Management to renew its permit (Solid Waste Facility Permit #62-11) to operate Stone's Throw Landfill, a municipal solid waste facility in Tallapoosa County, Alabama.

Sincerely,



**Leah Aden**

**Senior Counsel**

**NAACP Legal Defense and Educational Fund, Inc.**

40 Rector Street, 5th Floor, New York, NY 10006

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